

REFERENCE TITLE: **death sentences; moratorium**

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2746

Introduced by
Representatives Bradley, Ableser, Chabin, Farley, Garcia M, Lopes, Lopez,
Lujan, Pancrazi, Prezelski, Schapira, Sinema: Alvarez, Gallardo,
Hershberger, Meza, Miranda B

AN ACT

ESTABLISHING A MORATORIUM ON THE IMPOSITION OF THE DEATH PENALTY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Death sentences; moratorium

3 Beginning on the effective date of this act through December 31, 2023,
4 a person who is convicted of first degree murder pursuant to section 13-1105,
5 Arizona Revised Statutes, shall not be sentenced to death pursuant to
6 sections 13-703 and 13-703.01, Arizona Revised Statutes.

7 Sec. 2. Cost savings; cold case investigations

8 A. The legislature shall appropriate any cost savings that are
9 generated by the moratorium on the death penalty to supplement monies that
10 are appropriated by the legislature to the Arizona criminal justice
11 commission. The Arizona criminal justice commission shall distribute the
12 cost savings to local law enforcement agencies to fund cold case
13 investigations.

14 B. Notwithstanding any other law, counties shall give priority to
15 using the cost savings that are generated by the moratorium on the death
16 penalty to fund cold case investigations.

17 Sec. 3. Intent

18 It is the intent of the legislature to impose a moratorium on the
19 imposition of the death penalty in this state for fifteen years and to use
20 the anticipated general fund savings and county savings from the moratorium
21 on the death penalty to increase funding to law enforcement agencies in this
22 state to fund cold case investigations. After the fifteen year period
23 expires, the legislature intends to evaluate the cost savings that are
24 generated by the moratorium on the death penalty and determine if it should
25 be extended or made permanent.

26 Sec. 4. Applicability

27 This act applies to any first degree murder case in which the trier of
28 fact has not rendered a verdict on or after the effective date of this act.